

REMARKS

Claims 1-39 are pending in the application.

Claims 1-39 have been rejected.

Claims 1, 5, 9, 16, 23 and 30 have been amended.

Unless otherwise specified in the below discussion, Applicants have amended the above-referenced claims in order to provide clarity or to correct informalities in the claims. Applicants further submit that, unless discussed below, these amendments are not intended to narrow the scope of the claims. By these amendments, Applicants do not concede that the cited art is prior to any invention now or previously claimed. Applicants further reserve the right to pursue the original versions of the claims in the future, for example, in a continuing application.

*Rejection of Claims Under 35 U.S.C. §102*

Claims 1-39 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,587,126 issued to Wakai et al. ("Wakai"). Applicants respectfully traverse this rejection.

Independent Claims 1, 9, 16 and 37, as amended, each contain a limitation of substantially the following form:

selecting a first device of a plurality of devices to provide the requested service, wherein

each of the plurality of devices is configured to provide a corresponding service, and

said selecting is performed in response to said obtaining the request.

*See, e.g.*, Claim 1 (as amended). Applicants respectfully submit that Wakai fails to

provide disclosure of the claimed “selecting a first device.”

Wakai provides disclosure of a client/server configuration for purportedly providing printer control requests to a printer coupled to the server. *See, e.g.*, Wakai Figure 2; *see also* Wakai 13:46-65. Wakai provides further disclosure related to the purported functionality of components of the disclosed server component:

The server component 103 is comprised of a Web server 204, a device manager 205, a request manager 207, and a command analysis/process unit 208. A request originating at the client component 102 is received by the web server 204, which in turn transmits the request to the device manager 205 or to the request manager 207.

In accordance with the request, the device manager 205 either acquires the status of the printer 206 or exercises control of the printer 206. The request manager 207 converts the request into a process command, and transmits it to the command analysis/process unit 208.

The command analysis/process unit 208 performs the processing corresponding to the process command, and accesses the database 104 via a database manager 209 to add or to update a job.

Wakai 13:55-14:2. Applicants note that neither Figure 2 nor the description of the elements of Figure 2 provides for more than one printer coupled to the disclosed server component 103 or for a capacity within server component 103 for selecting between more than one printer or other device, in response to obtaining a request to provide a requested service.

In order to address the lack of disclosure of a plurality of devices and selecting a first device of the plurality of devices, the Office Action refers to Figure 7 (*see* Office Action, p.4) which purports to provide various apparatuses connected to a network, including a printer, a scanner, and a “multi-function device” each including an “input/output operation unit.” *See* Wakai 15:60-16:5 & Fig. 7. Applicants respectfully submit that there is no indication within Wakai that all of these apparatuses disclosed in Figure 7 are each controlled by a same server component, or that server component 103

makes any kind of selection between the various devices disclosed in Figure 7, in response to obtaining a request to provide a requested service. Therefore, there is no suggestion within Wakai that a selection is performed from among the devices illustrated in Figure 7 in response to obtaining a request to provide a requested service by the disclosed server component 103.

The Office Action also refers to the following section of text from Wakai as purported support for disclosure of the claimed “selecting a first device”:

apparatus selection means for selecting a local apparatus or a different apparatus as an apparatus where at is present the object information to be processed.

Wakai 3:3-5. Applicants respectfully submit that this does not provide disclosure of the claimed “selecting a first device of a plurality of devices to provide the requested service” because there is no disclosure of a service being provided by the disclosed local or different apparatuses. Instead, Wakai provides purported selection between apparatuses in order to access “object information to be processed.” Applicants further respectfully submit that the Office Action makes no attempt to link this disclosure with any functionality provided by the server component 103, which is purported by the Office Action to provide the claimed “obtaining a request.” Applicants further submit that there is no disclosure within Wakai providing that the “apparatus selection means” performs selecting in response to obtaining a request, as provided in the amended claims.

The Office Action also makes reference to Figure 32 of Wakai as purportedly providing disclosure of the claimed “selecting a first device.” *See* Office Action, p.5. Applicants respectfully submit that neither Figure 32 nor the accompanying text related to Figure 32 (Wakai 26:65-27:5) provide any disclosure of the claimed “selecting.” The identified step S3201 indicates “open specific printer,” but there is no provision for

selecting the printer to be opened. Further, there is no disclosure within Wakai related to Figure 32 that provides for performing selecting in response to obtaining a request, as claimed. Again, Applicants submit that one would not expect Wakai to provide such functionality because the disclosed, and referenced, server component 103 is only shown to be connected to a single printer device. Thus, it would make no sense to provide for selecting of the single printer device in response to obtaining a request.

For at least these reasons, Applicants respectfully submit that the cited sections of Wakai fail to provide disclosure of all the limitations of independent Claims 1, 9, 16 and 37, as amended, and all claims depending therefrom (Claims 2-8, 10-15, 17-22 and 38-39). Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

**Claims 23 and 30:** Independent Claims 23 and 30 were both amended in the Request for Continued Examination to expressly claim a plurality of devices directly coupled to the claimed computer system or systems. The Office Action merely includes these independent claims, and all claims depending therefrom, in with the other claims that do not include this limitation. In doing so, the Office Action fails to address whether Wakai provides any disclosure of such plurality of devices being directly coupled to the system. As discussed above, Applicants submit that Figure 3 clearly illustrates only a single device being directly coupled to the disclosed server component. The same holds true for Wakai Figure 8 which purports to show "the essential hardware arrangement according to the embodiment" of the Wakai system. *See* Wakai Figure 8.

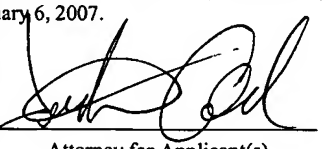
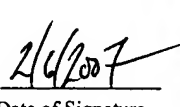
Applicants have further amended independent Claims 23 and 30 to provide for the claimed "identifying" to be performed in response to the claimed obtaining the request to provide a service. For the reasons presented above, Applicants respectfully submit that

Wakai fails to provide disclosure of this amended claim limitation.

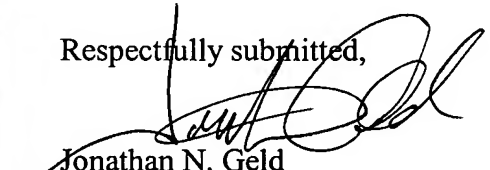
For at least these reasons, Applicants respectfully submit that independent Claims 23 and 30, as amended, and all claims depending therefrom (Claims 24-29 and 31-36), are in condition for allowance. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections as to these claims and an indication of the allowability of same.

### CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on February 6, 2007.	
	
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